

December 9, 2002

FINANCE & MANAGEMENT
COMMITTEE
REPORT NO .16

ALL MEMBERS PRESENT EXCEPT LEGISLATOR PEOPLES. CHAIRMAN DeBENEDETTI PRESENT AS EX-OFFICIO MEMBER.

1. RESOLVED, that the following items are hereby received and filed.

Item Page -2001 (Comm. 14E-69)
a. **COUNTY EXECUTIVE:** County of Erie Participation in Dunn Tire Park.
(4-0) Legislator Peoples absent.

Item Page -2002 (Comm. 20D-2)
b. **BOARD OF ELECTIONS:** Apportionment of Expenses for 2001 Elections.
(5-0) Legislator Peoples absent. Chairman DeBenedetti present as Ex-Officio Member.

Item Page -2002 (Comm. 20D-9)
c. **BUDGET, MANAGEMENT & FINANCE:** Budget Monitoring Report for Period Ending
7/31/02.
(5-0) Legislator Peoples absent. Chairman DeBenedetti present as Ex-Officio Member.

Item Page -2002 (Comm. 20E-5)
d. **COMPTROLLER:** Information on Completed Sale of \$60,590,000 of General Obligation
Bonds.
(5-0) Legislator Peoples absent. Chairman DeBenedetti present as Ex-Officio Member.

Item Page -2002 (Comm. 20E-6)
e. **COMPTROLLER:** Information on Completed Sale of \$43,000,000 RAN.
(5-0) Legislator Peoples absent. Chairman DeBenedetti present as Ex-Officio Member.

Item Page -2002 (Comm. 20E-8)
f. **COMPTROLLER:** Information Concerning EC's Bonded Indebtedness 12/31/99 – 9/30/02.
(5-0) Legislator Peoples absent. Chairman DeBenedetti present as Ex-Officio Member.

Item Page -2002 (Comm. 20E-9)
g. **COMPTROLLER:** Apportionment & Distribution of 4% Sales Tax Revenue Received by
EC from NYS for Month of October.
(5-0) Legislator Peoples absent. Chairman DeBenedetti present as Ex-Officio Member.

Item Page -2002 (Comm. 20E-10)
h. **COMPTROLLER:** Quarterly Investment Report 7/1/02 – 9/30/02.
(5-0) Legislator Peoples absent. Chairman DeBenedetti present as Ex-Officio Member.

Item Page -2002 (Comm. 20E-13)

- i. **COMPTROLLER:** EC's Interim Financial Report for Six Months Ended 6/30/02.
(5-0) Legislator Peoples absent. Chairman DeBenedetti present as Ex-Officio Member.
Item Page -2002 (Comm. 20M-1)
- j. **NYS BOARD OF REAL PROPERTY SERVICES:** List of Certified 2002 State
Equalization Rates.
(5-0) Legislator Peoples absent. Chairman DeBenedetti present as Ex-Officio Member.
Item Page -2002 (Comm. 20M-2)
- k. **NYS BOARD OF REAL PROPERTY SERVICES:** List of Certified 2002 Class
Equalization Rates.
(5-0) Legislator Peoples absent. Chairman DeBenedetti present as Ex-Officio Member.
Item Page -2002 (Comm. 20M-12)
- l. **NYS BOARD OF REAL PROPERTY SERVICES:** Certificate of County Equalization
Rates for 2002 Assessment Rolls for Municipalities in County of Erie.
(5-0) Legislator Peoples absent. Chairman DeBenedetti present as Ex-Officio Member.
Item Page -2002 (Comm. 24E-7)
- m. **COMPTROLLER:** Apportionment & Distribution of 4% Sales Tax Received by EC from
NYS for 11/02.
(5-0) Legislator Peoples absent. Chairman DeBenedetti present as Ex-Officio Member.

AS AMENDED

2. Item Page -2001 (Comm. 1D-9A)
BUDGET, MANAGEMENT & FINANCE

WHEREAS, the Erie County Director of Real Property Tax Services has received applications for corrected tax billings and / or refunds for taxes previously paid in accordance with New York State Real Property Tax Law sections 554 and 556 and

WHEREAS, the Director has investigated the validity of such applications (see attached listing) now therefore be it ,

RESOLVED, that petitions numbered 203040 through 203080 inclusive be hereby approved or denied based upon the recommendation of the Director of Real Property Services and be charged back to the applicable Towns and / or Cities.

Petition No. 203040 / 2002 - ASSESSOR - Cancel - \$4,748.03

SBL No. 100.79-5-2 - CITY OF BUFFALO

Acct. No. 112 - \$ 4,748.03 - County

Acct. No. 132 - \$ 0.00 - Town/SpecialDist/School

Charge to :

CANCEL - CLERICAL ERROR, THR RPTL 520 WAS MISCALCULATED DUE TO USING THE INCORRECT ASSESSED VALUE. RPTL 550(2)E

Petition No. 203041 / 203 - ASSESSOR - Refund - \$2,478.90

SBL No. 119.08-3-1.21 - TOWN OF ALDEN

Acct. No. 112 - \$ 0.00 - County

Acct. No. 132 - \$ 2,478.90 - Town/SpecialDist/School

Charge to : BASIC STAR EXEMPTION 2,478.90

REFUND - CLERICAL ERROR, THE BASIC STAR EXEMPTION IN THE AMOUNT OF 546,730 SHOULD BE 815,986. RPTL 550(2)E.

Petition No. 203042 / 203 - ASSESSOR - Cancel - \$308.32

SBL No. 129.01-3-13 - TOWN OF ALDEN

Acct. No. 112 - \$ 0.00 - County

Acct. No. 132 - \$ 308.32 - Town/SpecialDist/School

Charge to : ALDEN CENTRAL 308.32

CANCEL - CLERICAL ERROR, THE SENIOR EXEMPTION IN THE AMOUNT OF 24,255 WAS MISCALCULATED. THE CORRECT AMOUNT SHOULD BE 34,650. RPTL 550(2)B

Petition No. 203043 / 203 - ASSESSOR - Refund - \$415.18

SBL No. 14.16-1-1 - TOWN OF AMHERST

Acct. No. 112 - \$ 0.00 - County

Acct. No. 132 - \$ 415.18 - Town/SpecialDist/School

Charge to : TOWN OF AMHERST 34.28
BASIC STAR EXEMPTION 380.90

REFUND - CLERICAL ERROR, THE BASIC STAR EXEMPTION IN THE AMOUNT OF 30,000 THAT THIS PARCEL IS ENTITLED TO WAS OMITTED IN ERROR FROM THE TAX ROLL. RPTL 550(2)C SWEET HOME CENTRAL
CHECK IN FAVOR OF: RAY WIGLER

Petition No. 203044 / 102 - ASSESSOR - Refund - \$563.09

SBL No. 41.20-11-19 - TOWN OF AMHERST

Acct. No. 112 - \$ 0.00 - County

Acct. No. 132 - \$ 563.09 - Town/SpecialDist/School

Charge to : BASIC STAR EXEMPTION 563.09

REFUND- CLERICAL ERROR, THE BASIC STAR EXEMPTION IN THE AMOUNT OF 30,000 THAT THIS PARCEL IS ENTITLED TO WAS OMITTED IN ERROR FROM THE TAX ROLL. RPTL 550(2)C WILLIAMSVILLE CENTRAL

CHECK IN FAVOR OF: SCOTT & BARBAR KREVAT

Petition No. 203045 / 203 - ASSESSOR - Refund - \$582.44

SBL No. 41.20-11-19 - TOWN OF AMHERST

Acct. No. 112 - \$ 0.00 - County

Acct. No. 132 - \$ 582.44 - Town/SpecialDist/School

Charge to : BASIC STAR EXEMPTION 582.44

REFUND - CLERICAL ERROR, THE BASIC STAR EXEMPTION IN THE AMOUNT OF 30,000 THAT THIS PARCEL IS ENTITLED TO WAS OMITTED IN ERROR FROM THE TAX ROLL. RPTL 550(2)C WILLIAMSVILLE CENTRAL
CHECK IN FAVOR OF: SCOTT & BARBARA KERVAT

Petition No. 203046 / 2002 - ASSESSOR - Refund - \$37.23

SBL No. 42.08-3-2./2 - TOWN OF AMHERST

Acct. No. 112 - \$ 0.00 - County

Acct. No. 132 - \$ 37.23 - Town/SpecialDist/School

Charge to : TOWN OF AMHERST 37.23

REFUND - CLERICAL ERROR, THIS PARCEL WAS CHARGED FOR 2 SEWER DISTRICT TAX. RPTL 550(2)E
CHECK IN FAVOR OF: DONALD W & KATHRYN SMITH

Petition No. 203047 / 2002 - ASSESSOR - Refund - \$40.74

SBL No. 42.08-3-2./3 - TOWN OF AMHERST

Acct. No. 112 - \$ 0.00 - County

Acct. No. 132 - \$ 40.74 - Town/SpecialDist/School

Charge to : TOWN OF AMHERST 40.74

REFUND - CLERICAL ERROR, THIS PARCEL WAS CHARGED FOR TWO SEWER DISTRICT TAX. RPTL 550920E
CHECK IN FAVOR OF: PHILIP & MARY LOU GARDNER

Petition No. 203048 / 2002 - ASSESSOR - Refund - \$40.82

SBL No. 42.08-3-2./4 - TOWN OF AMHERST

Acct. No. 112 - \$ 0.00 - County

Acct. No. 132 - \$ 40.82 - Town/SpecialDist/School

Charge to : TOWN OF AMHERST 40.82

REFUND - CLERICAL ERROR, THIS PARCEL WAS CHARGED FOR TWO SEWER DIST
TAX. RPTL 550(2)E
CHECK IN FAVOR OF: JULIE ZOLISKI

Petition No. 203049 / 2002 - ASSESSOR - Refund - \$41.20

SBL No. 42.08-3-2./5 - TOWN OF AMHERST

Acct. No. 112 - \$ 0.00 - County

Acct. No. 132 - \$ 41.20 - Town/SpecialDist/School

Charge to : TOWN OF AMHERST 41.20

REFUND - CLERICAL ERROR, THIS PARCEL IS CHARGED FOR TWO SEWER DISTRICT
TAX. RPTL 550(2)E
CHECK IN FAVOR OF: DONALD & PATRICIA HARVEY

Petition No. 203050 / 2002 - ASSESSOR - Refund - \$40.90

SBL No. 42.08-3-2./7 - TOWN OF AMHERST

Acct. No. 112 - \$ 0.00 - County

Acct. No. 132 - \$ 40.90 - Town/SpecialDist/School

Charge to : TOWN OF AMHERST 40.90

REFUND - CLERICAL ERROR, THIS PARCEL WAS CHARGED FOR TWO SEWER
DISTRICT TAX. RPTL 550(2)E
CHECK IN FAVOR OF: RONALD HILFMAN

Petition No. 203051 / 2002 - ASSESSOR - Refund - \$39.60

SBL No. 42.08-3-2./8 - TOWN OF AMHERST

Acct. No. 112 - \$ 0.00 - County

Acct. No. 132 - \$ 39.60 - Town/SpecialDist/School

Charge to : TOWN OF AMHERST 39.60

REFUND - CLERICAL ERROR, THIS PARCEL WAS CHARGED FOR TWO SEWER
DISTRICT TAX. RPTL 550(2)E
CHECK IN FAVOR OF: WALTER A & MARIE F BREWER

Petition No. 203052 / 203 - ASSESSOR - Refund - \$1,067.81

SBL No. 69.17-3-79 - TOWN OF AMHERST

Acct. No. 112 - \$ 0.00 - County

Acct. No. 132 - \$ 1,067.81 - Town/SpecialDist/School

Charge to : WILLIAMSVILLE CENT 1,067.81

REFUND- CLERICAL ERROR, THE SENIOR EXEMPTION IN THE AMOUNT OF 55,000
WAS OMITTED IN ERROR FROM THE TAX ROLL. RPTL 550(2)C
CHECK IN FAVOR OF: DOROTHY M SUCHAN

Petition No. 203053 / 2001 - ASSESSOR - Cancel - \$529.32

SBL No. 666.00-70-1 - TOWN OF BRANT

Acct. No. 112 - \$ 0.00 - County

Acct. No. 132 - \$ 529.32 - Town/SpecialDist/School

Charge to : VILLAGE OF FARNHAM 529.32

CANCEL - CLERICAL ERROR, THIS PARCEL IS DUPLICATED UNDER
SBL 648-001-999-746.12/1881 ON WHICH THE TAXES WERE PAID.RPTL 550(2)F

Petition No. 203054 / 203 - ASSESSOR - Refund - \$582.43

SBL No. 43.17-4-3 - TOWN OF CLARENCE

Acct. No. 112 - \$ 0.00 - County

Acct. No. 132 - \$ 582.43 - Town/SpecialDist/School

Charge to : BASIC STAR EXEMPTION 582.43

REFUND - CLERICAL ERROR, THE BASIC STAR EXEMPTION IN THE AMOUNT OF
30,000 WAS OMITTED IN ERROR FROM THE TAX ROLL. RPTL 550(2)C
WILLIAMSVILLE CENTRAL
CHECK IN FAVOR OF: MICHAEL MILLER

Petition No. 203055 / 203 - ASSESSOR - Refund - \$497.16

SBL No. 82.07-7-6 - TOWN OF CLARENCE

Acct. No. 112 - \$ 0.00 - County

Acct. No. 132 - \$ 497.16 - Town/SpecialDist/School

Charge to : BASIC STAR EXEMPTION 497.16

REFUND - CLERICAL ERROR, THE BASIC STAR EXEMPTION IN THE AMOUNT
OF 30,000 WAS OMITTED IN ERROR FROM THE TAX ROLL. RPTL 550(2)C
CLARENCE CENTRAL

Petition No. 203056 / 1 - ASSESSOR - Refund - \$1,094.50

SBL No. 666.00-70-1 - TOWN OF BRANT

Acct. No. 112 - \$ 0.00 - County

Acct. No. 132 - \$ 1,094.50 - Town/SpecialDist/School

Charge to : LAKE SHORE CENTRAL 1,094.50

REFUND- CLERICAL ERROR, THIS PARCEL IS A DUPLICATE OF
SBL 648.001-999-746.12/1881 ON WHICH THE TAXS WERE PAID. RPTL 550(2)F
CHECK IN FAVOR OF: US SPRINT COMMUNICATIONS

Petition No. 203057 / 102 - ASSESSOR - Refund - \$552.67

SBL No. 666.00-70-1 - TOWN OF BRANT

Acct. No. 112 - \$ 0.00 - County

Acct. No. 132 - \$ 552.67 - Town/SpecialDist/School

Charge to : VILLAGE OF FARNHAM 552.67

REFUND - CLERICAL ERROR, THIS PARCEL IS A DUPLICATE BILL.
SBL 648.001-999-746.12/1881 ON WHICH THE TAXS WERE PAID. RPTL 550(2)F
CHECK IN FAVOR OF: US SPRINT COMMUNICATIONS
Petition No. 203058 / 2002 - ASSESSOR - Cancel - \$13.10

SBL No. 112.84-5-3.5 - TOWN OF CHEEKTOWAGA

Acct. No. 112 - \$ 0.00 - County

Acct. No. 132 - \$ 13.10 - Town/SpecialDist/School

Charge to : TOWN OF CHEEKTOWAGA 13.10

CANCEL - UNLAWFUL ENTRY, PROPERTY IS OWNED BY NEW YORK STATE MAKING
IT WHOLLY EXEMPT FROM TAXS. STATE PAYS SPECIAL ASSESSMENTS ON WHICH
IT RECEIVES A DIRECT BENEFIT. RPTL 550(7)A

Petition No. 203059 / 203 - ASSESSOR - Refund - \$523.77

SBL No. 58.00-1-42 - TOWN OF CLARENCE

Acct. No. 112 - \$ 0.00 - County

Acct. No. 132 - \$ 523.77 - Town/SpecialDist/School

Charge to : TOWN OF 523.77

REFUND - CLERICAL ERROR, THE TOWN COUNTY SEWER DISTRICT #2 WAS NOT
HOOKED INTO THIS PARCEL. RPTL 550(2)E
CHECK IN FAVOR OF: JACQUELINE M DRENNAN

Petition No. 203060 / 2001 - ASSESSOR - Refund - \$129.15

SBL No. 58.10-3-5 - TOWN OF CLARENCE

Acct. No. 112 - \$ 0.00 - County

Acct. No. 132 - \$ 129.15 - Town/SpecialDist/School

Charge to : TOWN OF CLARENCE 129.15

REFUND - CLERICAL ERROR, THIS PARCEL WAS NOT HOOKED INTO TOWN COUNTY
SEWER DISTRICT #2. RPTL 550(2)E
CHECK IN FAVOR OF: JEFFREY & PEGGY SCHWANTZ

Petition No. 203061 / 203 - ASSESSOR - Refund - \$497.16

SBL No. 82.07-7-6 - TOWN OF CLARENCE

Acct. No. 112 - \$ 0.00 - County

Acct. No. 132 - \$ 497.16 - Town/SpecialDist/School

Charge to : BASIC STAR EXEMPTION 497.16

REFUND - CLERICAL ERROR, THE BASIC STAR EXEMPTION IN THE AMOUNT OF
30,000 THAT THIS PARCEL IS ENTITLED WAS OMITTED IN ERROR FROM THE
TAX ROLL. RPTL 550(2)C CLARENCE CENTRAL
CHECK IN FAVOR OF: GERALD A PETTIT

Petition No. 203062 / 203 - ASSESSOR - Refund - \$497.16

SBL No. 82.08-4-32 - TOWN OF CLARENCE

Acct. No. 112 - \$ 0.00 - County

Acct. No. 132 - \$ 497.16 - Town/SpecialDist/School

Charge to : BASIC STAR EXEMPTION 497.16

REFUND - CLERICAL ERROR, THE BASIC STAR EXEMPTION IN THE AMOUNT OF
30,000 WAS OMITTED IN ERROR FROM THE TAX ROLL. RPTL 550(2)C
CLARENCE CENTRAL
CHECK IN FAVOR OF: ALAN J. LOCK

Petition No. 203063 / 203 - ASSESSOR - Cancel - \$770.60

SBL No. 82.10-1-6.1 - TOWN OF CLARENCE

Acct. No. 112 - \$ 0.00 - County

Acct. No. 132 - \$ 770.60 - Town/SpecialDist/School

Charge to : CLARENCE CENTRAL 770.60

CANCEL - CLERICAL ERROR, THE ASSESED VALUE WAS ENTERED INCORRECTLY
ON THE TAX ROLL. THE ASSESSMENT WAS 51,500 AND SHOULD BE 5,000.

RPTL 550(2)A

Petition No. 203064 / 203 - ASSESSOR - Cancel - \$1,988.64

SBL No. 83.00-1-18./B - TOWN OF CLARENCE

Acct. No. 112 - \$ 0.00 - County

Acct. No. 132 - \$ 1,988.64 - Town/SpecialDist/School

Charge to : CLARENCE CENTRAL 1,988.64

CANCEL - ERROR IN ESSENTIAL FACT, THE COMMUNICATIONS TOWER THAT WAS SUPPOSE TO BE BUILT ON THIS PARCEL WAS NEVER BUILT. RPTL 550(3)B

Petition No. 203065 / 203 - ASSESSOR - Cancel - \$460.78

SBL No. 207.00-1-21.2 - TOWN OF EDEN

Acct. No. 112 - \$ 0.00 - County

Acct. No. 132 - \$ 460.78 - Town/SpecialDist/School

Charge to : BASIC STAR EXEMPTION 460.78

REFUND - CLERICAL ERROR, THE BASIC STAR EXEMPTION IN THE AMOUNT OF 27,000 THAT THIS PARCEL IS ENTITLED TO WAS OMITTED IN ERROR FROM THE TAX ROLL. EDEN CENTRAL
CHECK IN FAVOR OF: LARRY L & PATRICIA PLACE

Petition No. 203066 / 203 - ASSESSOR - Cancel - \$1,597.44

SBL No. 215.02-1-14.1 - TOWN OF HOLLAND

Acct. No. 112 - \$ 0.00 - County

Acct. No. 132 - \$ 1,597.44 - Town/SpecialDist/School

Charge to : HOLLAND CENTRAL 1,597.44

CANCEL - CLERICAL ERROR, THIS PARCEL IS A GROUP HOME MAKING IT EXEMPT FROM SCHOOL TAX. EXEMPTION OMITTED IN ERROR FROM THE TAX ROLL.
RPTL 550(2)C

Petition No. 203067 / 203 - ASSESSOR - Refund - \$628.92

SBL No. 104.71-1-15 - TOWN OF LANCASTER

Acct. No. 112 - \$ 0.00 - County

Acct. No. 132 - \$ 628.92 - Town/SpecialDist/School

Charge to : BASIC STAR EXEMPTION 628.92

REFUND - CLERICAL ERROR, THE BASIC STAR EXEMPTION IN THE AMOUNT OF 25,500 THAT THIS PARCEL IS ENTITLED TO WAS OMITTED IN ERROR FROM THE TAX ROLL. RPTL 550(2)C DEPEW UNION FREE
CHECK IN FAVOR OF: PATRICK C & BARBARA WACHOWSKI

Petition No. 203068 / 203 - ASSESSOR - Refund - \$482.49

SBL No. 126.08-3-4 - TOWN OF LANCASTER

Acct. No. 112 - \$ 0.00 - County

Acct. No. 132 - \$ 482.49 - Town/SpecialDist/School

Charge to : BASIC STAR EXEMPTION 482.49

REFUND - CLERICAL ERROR, THE BASIC STAR EXEMPTION IN THE AMOUNT OF 25,500 THAT THIS PARCEL IS ENTITLED TO WAS OMITTED IN ERROR FROM THE TAX ROLL. RPTL 550(2)C LANCASTER CENTRAL
CHECK IN FAVOR OF: KEVIN & NANCY KOWALCZEWSKI

Petition No. 203069 / 2001 - ASSESSOR - Refund - \$105.33

SBL No. 22.00-1-11.1 - TOWN OF NEWSTEAD

Acct. No. 112 - \$ 66.31 - County

Acct. No. 132 - \$ 39.02 - Town/SpecialDist/School

Charge to : TOWN OF NEWSTEAD 39.02

REFUND - CLERICAL ERROR, THE AGRICULTURAL EXEMPTION IN THE AMOUNT OF 13,229 THAT THIS PARCEL IS ENTITLED TO WAS OMITTED IN ERROR FROM THE TAX ROLL. RPTL 550(2)C
CHECK IN FAVOR OF: WILLARD CUMMINGS

Petition No. 203070 / 203 - ASSESSOR - Refund - \$460.90

SBL No. 32.00-3-2.2 - TOWN OF NEWSTEAD

Acct. No. 112 - \$ 0.00 - County

Acct. No. 132 - \$ 460.90 - Town/SpecialDist/School

Charge to : BASIC STAR EXEMPTION 460.90

REFUND - CLERICAL ERROR, THE BASIC STAR EXEMPTION IN THE AMOUNT OF 30,000 THAT THIS PARCEL IS ENTITLED TO WAS OMITTED IN ERROR FROM THE TAX ROLL. RPTL 550(2)C AKRON CENTRAL
CHECK IN FAVOR OF: DOUGLAS LOMBARD

Petition No. 203071 / 2000 - ASSESSOR - Cancel - \$28.22

SBL No. 33.00-2-28./A - TOWN OF NEWSTEAD

Acct. No. 112 - \$ 8.66 - County

Acct. No. 132 - \$ 19.56 - Town/SpecialDist/School

Charge to : TOWN OF NEWSTEAD 3.11
AKRON CENTRAL 16.45

CANCEL - CLERICAL ERROR, THE ASSESSED VALUE WAS 1,170 AND SHOULD BE 0. THIS IS A NON-PRODUCTION GAS WELL ON WHICH THE VALUE IS BASED ON GAS PRODUCTION. RPTL 550(2)A

Petition No. 203072 / 2001 - ASSESSOR - Cancel - \$27.70

SBL No. 33.00-2-28./A - TOWN OF NEWSTEAD

Acct. No. 112 - \$ 7.61 - County

Acct. No. 132 - \$ 20.09 - Town/SpecialDist/School

Charge to : TOWN OF NEWSTEAD 3.44
AKRON CENTRAL 16.65

CANCEL - CLERICAL ERROR, THE ASSESSED VALUE WAS 1,170 AND SHOULD BE 0. THIS IS A NON PRODUCTIVE GAS WELL ON WHICH THE VALUE IS BASED ON THE PRODUCTION OF GAS. RPTL 550(2)A

Petition No. 203073 / 2002 - ASSESSOR - Cancel - \$69.02

SBL No. 33.00-2-28./A - TOWN OF NEWSTEAD

Acct. No. 112 - \$ 18.63 - County

Acct. No. 132 - \$ 50.39 - Town/SpecialDist/School

Charge to : TOWN OF NEWSTEAD 8.00
AKRON CENTRAL 42.39

CANCEL - CLERICAL ERROR, THE ASSESSED VALUE WAS 2,871 AND SHOULD BE 0. THIS IS A NON PRODUCTION GAS WELL ON WHICH THE VALUE IS BASED ON THE PRODUCTION OF GAS. RPTL 550(2)A

Petition No. 203074 / 203 - ASSESSOR - Refund - \$224.18

SBL No. 33.00-6-30 - TOWN OF NEWSTEAD

Acct. No. 112 - \$ 0.00 - County

Acct. No. 132 - \$ 224.18 - Town/SpecialDist/School

Charge to : AKRON CENTRAL 224.18

REFUND - CLERICAL ERROR, THE SENIOR EXEMPTION IN THE AMOUNT OF 14,600 THAT THIS PARCEL IS ENTITLED TO WAS OMITTED IN ERROR FROM THE TAX ROLL. RPTL 550(2)C

CHECK IN FAVOR OF: LINDA WEAVER

Petition No. 203075 / 203 - ASSESSOR - Refund - \$669.78

SBL No. 67.69-2-34 - TOWN OF TONAWANDA

Acct. No. 112 - \$ 0.00 - County

Acct. No. 132 - \$ 669.78 - Town/SpecialDist/School

Charge to : TOWN OF TONAWANDA	23.25
BASIC STAR EXEMPTION	309.95
BASIC STAR EXEMPTION	336.58

REFUND - CLERICAL ERROR, THE BASIC STAR EXEMPTION IN THE AMOUNT OF 21,130 WAS OMITTED IN ERROR FROM THE TAX ROLL. PARTIAL PAYMT WAS MADE RESULTING IN A CANCELLATION OF 336.58 A REF AMT OF 333.20.RPTL 550(2)C
CHECK IN FAVOR OF: SANDRA BUONO

Petition No. 203076 / 102 - ASSESSOR - Refund - \$648.53

SBL No. 66.63-3-7 - TOWN OF TONAWANDA

Acct. No. 112 - \$ 0.00 - County

Acct. No. 132 - \$ 648.53 - Town/SpecialDist/School

Charge to : VILLAGE OF KENMORE	648.53
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REFUND - CLERICAL ERROR, THE RPTL 520 WAS POSTED ON THE VILLAGE TAX BILL IN ERROR. RPTL 550(2)E
CHECK IN FAVOR OF: TIMOTHY M KNIGHT

Petition No. 203077 / 203 - ASSESSOR - Refund - \$1,077.35

SBL No. 78.21-1-28 - TOWN OF TONAWANDA

Acct. No. 112 - \$ 0.00 - County

Acct. No. 132 - \$ 1,077.35 - Town/SpecialDist/School

Charge to : NYS STAR ENHANCED EXEMPTI	1,077.35
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REFUND - CLERICAL ERROR, THE BASIC STAR EXEMPTION IN THE AMOUNT OF 35,210 THAT THIS PARCEL IS ENTITLED TO WAS OMITTED IN ERROR FROM THE TAX ROLL. RPTL 550(2)C KEN TON SCHOOL DISTRICT
CHECK IN FAVOR OF: EDWARD P KOZA

Petition No. 203078 / 203 - ASSESSOR - Refund - \$646.53

SBL No. 78.35-2-10 - TOWN OF TONAWANDA

Acct. No. 112 - \$ 0.00 - County

Acct. No. 132 - \$ 646.53 - Town/SpecialDist/School

Charge to : BASIC STAR EXEMPTION 646.53

REFUND - CLERICAL ERROR, THE BASIC STAR EXEMPTION IN THE AMOUNT OF 21,130 THAT THIS PARCEL IS ENTITLED TO WAS OMITTED IN ERROR FROM THE TAX ROLL. RPTL 550(2)C

CHECK IN FAVOR OF: JAMES P TRIMPER JR & SUSAN TRIMPER Petition No. 203079 / 203 - ASSESSOR - Cancel - \$163.37

SBL No. 134.07-3-2.1/5807 - TOWN OF WEST SENECA

Acct. No. 112 - \$ 0.00 - County

Acct. No. 132 - \$ 163.37 - Town/SpecialDist/School

Charge to : WEST SENECA CENT 163.37

CANCEL - CLERICAL ERROR, THE DISABILTY EXEMPITON IN THE AMOUNT OF 12,275 THAT THIS PARCEL IS ENTITLED TO WAS OMITTED IN ERROR FROM THE TAX ROLL. RPTL 550 (2)C

Petition No. 203080 / 2002 - ASSESSOR - Cancel - \$675.30

SBL No. 143.15-1-37 - TOWN OF WEST SENECA

Acct. No. 112 - \$ 337.65 - County

Acct. No. 132 - \$ 337.65 - Town/SpecialDist/School

Charge to : TOWN OF WEST SENECA 337.65

CANCEL - CLERICAL ERROR, THE RPTL 520 THAT WAS PLACED ON THIS PARCEL WAS PREVIOUSLY PAID UNDER VARIOUS SBL'S 143.05-1-35,143.05-1-36, 143.05-1-37 & 143.05-1-38. RPTL 550(2)E

(4-0) Legislator Peoples absent.

AS AMENDED
(Comm. 18E-29)

3. Item Page -2002

COMPTROLLER

RESOLUTION NO. ____-2002

BOND RESOLUTION DATED _____, 2002

BOND RESOLUTION OF THE COUNTY OF ERIE, NEW YORK, AUTHORIZING THE PARTIAL RECONSTRUCTION OF AND CONSTRUCTION OF IMPROVEMENTS TO VARIOUS COUNTY BUILDINGS, STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$1,840,000, APPROPRIATING SAID AMOUNT THEREFOR, AND AUTHORIZING THE ISSUANCE OF \$1,840,000 BONDS OF THE COUNTY TO PAY THE COST THEREOF.

(Introduced) December 9, 2002

(Adopted) _____, 2002

RESOLVED BY THE COUNTY LEGISLATURE OF THE COUNTY OF ERIE, NEW YORK (by the affirmative vote of not less than two thirds of the voting strength of said Legislature), AS FOLLOWS:

Section 1. The County of Erie, New York (herein called "County"), is hereby authorized to partially reconstruct various County buildings including but not limited to: at the Rath Building acquisition and installation of (i) computer hardware and software to upgrade the Energy Management System, (ii) a water pressure booster system, (iii) replacement toilets and urinals, (iv) low flow faucet aerators, (v) a variable speed drive and condenser water pumps, (vi) hardware for remote monitoring of electricity and water consumption and district heat use, and (vii) a chiller replacement; at Old County Hall acquisition and installation of (i) replacement toilets and urinals, (ii) low flow faucet aerators and (iii) flush valves on toilets. The estimated maximum cost of said class of objects or purposes, including preliminary costs and costs incidental thereto and to the financing thereof, is \$1,840,000, and said amount is hereby appropriated therefor. To the extent that the details set forth in this resolution are inconsistent with any details set forth in the 2002 Capital Budget of the County, such Budget shall be deemed and is hereby amended. The plan of financing includes the issuance of \$1,840,000 bonds of the County and any bond anticipation notes issued in anticipation of the sale of said bonds, to finance said appropriation, and the levy and collection of taxes on all the taxable real property in the County to pay the principal of said bonds and the interest thereon as the same shall become due and payable.

Section 2. Bonds of the County in the principal amount of \$1,840,000 are hereby authorized to be issued for the class of objects or purposes described in Section 1 hereof, pursuant to the provisions of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (herein called "Law") to finance said appropriation.

Section 3. The existing buildings are of at least Class "B" construction as defined by Section 11.00 a. 11. (b) of the Law, and the period of probable usefulness for the class of objects or purposes for which said \$1,840,000 bonds herein authorized to be issued, within the limitations of §11.00 a. 89 of the Law, is five (5) years.

Section 4. The County intends to finance, and the Comptroller of the County is hereby authorized to advance such amounts as are necessary to pay the costs of the object or purpose described in Section 1 hereof prior to the issuance of the bonds or bond anticipation notes authorized out of any available funds of the County, on an interim basis, which amounts are reasonably expected to be reimbursed with the proceeds of debt to be incurred by the County, pursuant to this Bond Resolution, in the maximum amount of bonds herein authorized. This Resolution is a declaration of official intent adopted pursuant to the requirements of Treasury Regulation Section 1.150-2.

Section 5. Subject to the provisions of this Resolution and of said Local Finance Law, and pursuant to the provisions of §30.00 relative to the authorization of the issuance of bond anticipation notes or the renewals thereof, and of §§50.00, 56.00 to 60.00 and 168.00 of said Law, the powers and duties of the County Legislature relative to authorizing the issuance of any notes in anticipation of the sale of the bonds herein authorized, or the renewals thereof, relative to providing

for substantially level or declining annual debt service, and relative to prescribing the terms, form and contents and as to the sale and issuance of the bonds herein authorized, and of any notes issued in anticipation of the sale of said bonds or the renewals of said notes, as well as to executing agreements for credit enhancement, are hereby delegated to the Comptroller of the County, as the chief fiscal officer of the County.

Section 6. Each of the bonds authorized by this Resolution and any bond anticipation notes issued in anticipation of the sale thereof shall contain the recital of validity prescribed by §52.00 of said Local Finance Law and said bonds and any notes issued in anticipation of said bonds shall be general obligations of the County of Erie, payable as to both principal and interest by general tax upon all the taxable real property within the County without limitation as to rate or amount. The faith and credit of the County are hereby irrevocably pledged to the punctual payment of the principal of and interest on said bonds and any notes issued in anticipation of the sale of said bonds or the renewals of said notes, and provision shall be made annually in the budgets of the County by appropriation for (a) the amortization and redemption of the notes and bonds to mature in such year and (b) the payment of interest to be due and payable in such year.

Section 7. The validity of the bonds authorized by this Resolution and of any notes issued in anticipation of the sale of said bonds, may be contested only if:

(a) such obligations are authorized for an object or purpose for which the County is not authorized to expend money, or

(b) the provisions of law which should be complied with at the date of the publication of this Resolution or a summary hereof, are not substantially complied with, and an action, suit or proceeding contesting such validity, is commenced within twenty days after the date of such publication, or

(c) such obligations are authorized in violation of the provisions of the Constitution.

Section 8. This Resolution shall take effect immediately upon approval by the County Executive.

(4-1) Legislator Peoples absent. Chairman DeBenedetti present as Ex-Officio Member. Legislator Swanick in the negative.

4. Item Page -2002 (Comm. 20E-45)

COUNTY EXECUTIVE

WHEREAS, the Division of Budget, Management and Finance did receive a request from Robert N. Rydzewski who owns property adjoining the above County owned parcel of land to purchase this land, and

WHEREAS, this parcel was reviewed and approved for sale by the Advisory Review Committee, and

WHEREAS, this office has received no other interests in this property as a result of the canvass letters sent to other adjacent property owners,

NOW, THEREFORE, BE IT RESOLVED, that the following parcel of land be sold without public auction pursuant to Article 14, Section 14-1.0 of the Erie County Tax Act to Robert N. Rydzewski for the sum of Five Thousand and 00/100 Dollars (\$5,000.00)

ALL THAT TRACT OR PARCEL OF LAND situate in the Town of Evans, County of Erie and State of New York being part of Farmplot 81, Township 8, Range 9, and further described on Erie County Tax Maps as Section, Block and Lot No. 251.050-1-68 (Best Street 360.00 x 125.00).

Further described as:

Beginning at a point in the northerly line of Best Street (60' Wide) 696.32 west of the west line of Erie Road (100' wide).

Thence northerly 125' to the south line of MC 2334;

Westerly along said south line 360';

Southerly 125' to said north line of Best Street;

Easterly along said north line of Best Street 360' to Point of Beginning

Intending to convey those lands acquired by Erie County as Serial No. 1873 in the County In Rem No. 153 by deed filed April 19, 1999 in Liber 10950 at Page 994 at the Erie County Clerk's Office, and

Reserving to the County of Erie a 20' wide Permanent Easement which will cover the southerly 20' x 360' of the above described parcel and be it further

RESOLVED, that the Erie County Executive is hereby authorized and directed to execute a quit claim deed conveying the interest of the County of Erie in the above described properties to the aforesaid purchaser, and be it further

RESOLVED, that certified copies of this resolution be forwarded to the Director of Budget, Management and Finance, the Office of the County Comptroller, the County Attorney and the Finance Office.

(4-0) Legislator Peoples absent.

5. Item Page -2002 (Comm. 20E-46)

COUNTY EXECUTIVE

WHEREAS, the New York State Department of Environmental Conservation has asked the County of Erie for a permanent Right of Way and Easement over, under, along and/or through the County owned parcel located on Whaley Avenue, East Aurora, New York SBL # 164.200-5-16.100, and

WHEREAS, the Deputy Commissioner of Real Property Tax has determined that this Right of Way and Easement can be granted, and

WHEREAS, the Advisory Review Committee will review this proposal, and

WHEREAS, it is necessary that this approval be granted to remediate the hazardous waste problem, and

WHEREAS, under the agreement made between the County of Erie, 95 Franklin Street, Buffalo, New York 14202 hereinafter described as OWNER, and the People of the State of New York, hereinafter described as PURCHASER, by the New York State Department of Environmental Conservation, and pursuant to the provisions of Section 3.0301 and Article 27 of the Environment Conservation Law under which this purchase is being made, hereby *agree* to the following terms and conditions:

WHEREAS, the *Owner* claims to own the land hereinafter described and wishes to convey a long term easement over a portion of this land to the Purchaser, and desires the *Purchaser* to make an examination of the title to said land; and

WHEREAS, the *Purchaser* desires to secure title to said land, but before doing so, it will be necessary that the *Purchaser* examine the title to said land and secure the approval of title thereto by the Attorney General;

NOW THEREFORE,

The *Owner* in consideration of the performance of the covenants hereinafter contained on the part of the *Purchaser*, hereby agrees to sell and convey unto the *Purchaser* a 20 year easement to the land hereinafter described, by full covenant warranty deed, free and clear from any and all liens and encumbrances, according to such descriptions as approved by the Comptroller of the State of New York pursuant to his rules, such descriptions to be in accordance with an accurate survey or map to be made by or on behalf of the *Purchaser* at the expense of the *Purchaser*; said deed to contain a trust covenant in accordance with Subdivision 5 of Section 13 of the Lien Law; for the sum of One and 00/100 Dollar, Payment Waived (\$1.00 PW) and the *Purchaser*, subject to the approval of title to said land by the Attorney General, and in consideration of the performance of the covenants hereinabove and hereinafter contained on the part of the *Owner* agrees to buy said land and to pay the *Owner* therefore the said sum as aforesaid; such payment to be made after the deed from the *Owner* to the *Purchaser* shall have been duly recorded in the Office of the Clerk of the County wherein said land is situated.

The owner covenants with the Purchaser and the Purchaser covenants with the owner as follows:

1. That the title of the land, hereinafter described, shall be examined with all convenient speed and said title shall be subject to the approval of the Attorney General of the State of New York after the same has been made satisfactory to him and that the Purchaser shall procure a search covering the said land if the Owner has not such a search.

2. That said Owner will submit to the Attorney General all maps, deeds and other papers and documents relating to, or affecting the title to, or right of possession of, the land hereinafter described, and will furnish the Attorney General such additional information and papers as the Attorney General may require, so far as the same may be in his possession or obtainable by him, and that said Owner will otherwise cooperate with him.
3. That said Owner will, with all convenient speed, clear such objections to the title of said land, hereinafter described, as shall be submitted by the Attorney General to said Owner through the mail, or otherwise, to the address above given, or to such person on behalf of the Owner, or other address, as the Owner shall in writing furnish the Attorney General; that said Owner will secure and deliver to the Attorney General necessary affidavits, releases and conveyances as the Attorney General shall deem necessary for the purpose of disposing of such objections.
4. That whenever notified by the Attorney General by letter or otherwise, said Owner will execute and deliver to the Attorney General for the Purchaser, without delay, a full covenant warranty deed of the land hereinafter described, together with an affidavit of title in the form prescribed by the Attorney General. Said deed shall be subject to the approval of the Attorney General with respect to form, manner of execution and recordability.
5. The said Owner will pay and discharge all taxes and assessments, which are due, and payable or which are liens against said land at the time of recording of the deed thereof to the Purchaser. All current taxes will be prorated accordingly.
6. That if the title of said Owner to the land hereinafter described is based on adverse possession said Owner will, at his own expense, perpetuate the evidence of such possession in the manner provided by Article 31 of the Civil Practice Laws and Rules before title will be approved by the Attorney General.
7. It is further mutually understood and agreed that the obligations of the Owner to clear objections to the title to said real property shall not include the extinguishment of easements if any, for the construction, operation and maintenance of public service electric, telephone, telegraph and pipe lines, or railroads and other transportation corporations or the right of others in any public road, right of way, waterway, street or highway running through or along the premises. The above purchase price is exclusive of such other possible interests.
8. The conveyance shall also include the right, title and interest of the Owners, in and to any lands lying in the bed of any right of way, highway, road, street or avenue, or in the bed of any waterway, marsh, pond, lake, bay, drainage or irrigation ditch, river, creek or stream, running through the premises to be conveyed or lying in front or adjacent thereto, together with any and all right of ingress or egress over and across any private drive, land, waterway or road, leading to and from any highway, road, street or avenue, to the real property herein described.
9. It is further mutually understood and agree, anything to the contrary notwithstanding, that if, in the opinion of the Purchaser, it is necessary, or desirable, to acquire the same by appropriation pursuant to law; title to said lands may be so acquired by the Purchaser in lieu of acquisition by conveyance from said Owner and in such event upon the vesting of title in the Purchaser as provided by law, this AGREEMENT shall become an AGREEMENT OF ADJUSTMENT of the claim of said Owner for compensation for the value of the real property so appropriated, and shall constitute

an agreement that the value of the real property so appropriated shall be and is hereby fixed and determined at the sum of \$ 1.00 PM without interest, moving expenses, supplemental relocation payments, and incidental expenses (except pro rate of taxes) and as payment in full of any and all such claims arising from the appropriation.

All covenants of this agreement shall apply, in case of appropriation, with respect to disposition of objections to title, as that title and those objections are found by the Attorney General to have existed at the time of appropriation.

This agreement consisting of 3 pages is executed in 6 counterparts; each of which is an original for all purposes.

It is further understood and agreed that this agreement is to apply to and bind the heirs, devisees, grantees, executors, administrators, successors, and assigns of the Owner.

The land hereby contracted to be sold by the Owner to the Purchaser is described as follows:

A 20 year easement to be exercised in, on, and over the property below designated for the purposes of constructing, reconstructing, operating, maintaining, repairing, and/or replacing the groundwater extraction and treatment system, drainage pipe lines and drainage structures, and for the further purpose of monitoring and sampling groundwater together with appurtenances, in and to all that piece or parcel of property herein after designated as Map No. 8, Parcel No. 8, situate in Lot No. 24, Township No. 9, Range No. 6 of the Holland Land Company Survey, Village of East Aurora, County of Erie, State of New York, as shown on the accompanying Map and described as follows:

Parcel No. 8

Commencing at a point on the northerly boundary of existing Ridge Avenue, at its intersection with the westerly boundary of existing Whaley Avenue; thence North $87^{\circ}49'11''$ West along the northerly boundary of existing Ridge Avenue a distance of 16.88 feet to the Point of Beginning, said point having coordinates N1009569.36 and E1140043.66; thence North $87^{\circ}49'11''$ West continuing along the northerly boundary of existing Ridge Avenue a distance of 29.92 feet to a point; thence through the property of the County of Erie (Reputed Owner) the following three (3) courses and distances: (1) North $02^{\circ}10'49''$ East a distance of 16.74 feet to a point; thence (2) South $74^{\circ}46'21''$ East a distance of 30.71 feet to a point; thence (3) South $02^{\circ}10'49''$ West a distance of 9.81 feet to the Point of Beginning, being 397.10 square feet, more or less.

Reserving, however, to the owner of any right, title or interest in and to the property described above, and such owners successors or assigns, the right of using said property and such use shall not be further limited or restricted under this easement beyond that which is necessary to effectuate its purposes for, and as established by, the construction and as so constructed, the maintenance of the herein identified project.

The Horizontal datum used in the preparation of the survey baseline and mapping shown herein is referenced to the New York State Plane Coordinate system, Western Zone, based on the North American Datum of 83/96 HARN.

All Bearings referred to True North at the 78°-35'-00" Meridian of West Longitude.

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive is authorized to enter into any necessary agreements and other documents with the New York State Department of Environmental Conservation in order to facilitate that Department's efforts to remediate this hazardous waste site, and be it further

RESOLVED, that certified copies of this Resolution be forwarded to the Director of Budget, Management and Finance, the County Attorney, the County Comptroller and the Finance Office.
(4-0) Legislator Peoples absent.

6. Item Page -2002 (Comm. 24D-2)

BOARD OF ELECTIONS

WHEREAS, during the development of the 2002 budget, it was not known that the capacity of the voting machine would be exceeded by the number of candidates for election office, the extra cost of printing official paper ballots was unforeseen.

WHEREAS, the amount of the additional costs incurred needs to be transferred within the Board's budget to appropriate account, Other Expenses, and

WHEREAS, funds exist in the 2002 departmental budget of the Erie County Board of Elections necessary to pay for these unanticipated printing costs, there is no additional cost to the County.

NOW, THEREFORE, BE IT

RESOLVED, that this honorable Body does hereby authorize the sum of \$77,583.75 to be transferred from Account 110 918 500 684200 - F.E.M.A. to Account 110 918 500 826 - Other Expenses.

Account 110 918 500 684200 - F.E.M.A. \$ 77,583.75

Account 110 918 500 826 - Other Expenses \$ 77,583.75

And be it further

RESOLVED, that certified copies of this resolution be sent to the County Executive, Erie County Comptroller, Director of Budge and Management and the Commissioner of the Erie County Board of Elections.

Fiscal Implications: None

(5-0) Legislator Peoples absent. Chairman DeBenedetti present as Ex-Officio Member.

7. Item Page -2002 (Comm. 24E-24)

COUNTY EXECUTIVE

WHEREAS, the County of Erie and the New York State Nurses Association have reached an agreement covering the working conditions, including wages and fringe benefits, for those employees of the County of Erie who are Registered Nurses and employed in the ECMC Network or the Erie County Department of Health for a period July 1, 2002 through December 31, 2003;

NOW, THEREFORE, BE IT

RESOLVED, that the attached amendments to the 1998-2002 Collective Bargaining Agreement are hereby approved effective July 1, 2002 except as otherwise specified and agreed to and shall remain in full force and effect until December 31, 2003; and be it further

RESOLVED, that said benefits and salary schedules in percentage increases be extended to all employees covered by said Agreement who are on the active payroll as of July 1, 2002; and be it further

RESOLVED, that the County Executive be authorized to enact said agreement; and be it further

RESOLVED, that certified copies of this resolution will be forwarded to the Personnel Department, Division of Labor Relations, Division of Budget, Management and Finance, ECMC, Health Department and Comptroller.

(5-0) Legislator Peoples absent. Chairman DeBenedetti present as Ex-Officio Member.

8. Item Page -2002 (Comm. 24E-39)

COUNTY EXECUTIVE

WHEREAS, the Erie County budget for the year 2003 has been adopted.

NOW, THEREFORE, BE IT

RESOLVED, that the amounts in said County budget that are required to be raised by taxes by this Legislature, are hereby levied upon and shall be collected from the taxable property situated within the County of Erie and liable therefore, effective January 1, 2003, and be it further

RESOLVED, that the Director of Budget, Management and Finance and/or successor to the Commissioner of Finance is hereby directed to apportion said taxes to be raised for such budget against the taxable property liable therefore, as provided by law, and be it further

RESOLVED, that certified copies of this resolution be transmitted to the Director of Budget, Management and Finance, the County Comptroller, the County Attorney and the Finance Department.

(4-0) Legislator Peoples absent.

DALE W. LARSON

CHAIRMAN